

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

BERNADINE JORDAN,)	CIVIL NO. 3:18-CV-384 (KAD)
<i>Plaintiff,</i>)	
)	
)	
v.)	
)	
)	
CAROLYN COLVIN, <i>Acting</i>)	
<i>Commissioner, Social Security</i>)	
<i>Administration,</i>)	March 28, 2019
<i>Defendant.</i>)	

ORDER TO AMEND CASE CAPTION

Kari A. Dooley, United States District Judge

Nancy A. Berryhill became the Acting Commissioner of the Social Security on January 23, 2017.¹ When a party in an official capacity resigns or otherwise ceases to hold office while the action is pending, the officer's successor is automatically substituted as a party, regardless of the party's failure to so move or to amend the case caption; the Court may also order such substitution at any time. FED. R. CIV. P. 25(d); *see also Williams v. Annucci*, 895 F.3d 180, 187 (2d Cir. 2018); *Tanvir v. Tanzin*, 894 F.3d 449, 459 n.7 (2d Cir. 2018).

Accordingly, the Clerk of the Court is respectfully directed to amend the docket and case caption to reflect that Nancy A. Berryhill, Acting Commissioner of the Social Security Administration, is now the named Defendant in this action.

¹ While there is arguably "some doubt about [Ms.] Berryhill's current legal status in light of the recent determination by the Government Accountability Office that her tenure has expired under the Federal Vacancies Reform Act," *Isureal v. Berryhill*, No. 3:15-cv-221 (JAM), 2018 WL 1409797, at *1 n.1 (D. Conn. Mar. 21, 2018) (citation omitted), Ms. Berryhill remains the current officeholder at this time. *See* Acting Commissioner Bio, accessed Mar. 28, 2019, <https://www.ssa.gov/agency/commissioner.html>.

SO ORDERED at Bridgeport, Connecticut, this 28th day of March 2019.

/s/ Kari A. Dooley
KARI A. DOOLEY
UNITED STATES DISTRICT JUDGE